

PATENT
Client-Matter No.: 66661-028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
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In re Application of
Ideker et al.

) Confirmation No: 7007

JUL 09 2004

Serial No.: 09/823,850

) Group Art Unit: 1631

Filed: March 30, 2001

) Examiner: M. Zeman

For: METHODS FOR
DETERMINING THE TRUE
SIGNAL OF AN ANALYTE

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE "EXPRESS MAIL" POST OFFICE TO
ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE
AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Leann Beantler
Printed Name of Person Mailing Paper or Fee


Signature of Person Mailing Paper or Fee

OFFICIAL

PETITION FOR EXTENSION OF TIME

Sir:

Applicants hereby petition for a one-month extension of time to respond to the Official Action mailed on January 29, 2004.

Please charge my Deposit Account No. 502624 the amount of \$55.00 which covers the fee for a one-month extension of time. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of any additional fees associated with the filing submitted herewith or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: May 4, 2004



David A. Gay
Registration No. 39,200
Telephone: (858) 535-9001
Facsimile: (858) 535-8949

McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive, Suite 700
San Diego, California 92122

| | | | |
|--|--------------------------------|---------------------------------|--|
| AMENDMENT TRANSMITTAL LETTER | | CLIENT-MATTER NO.: 66661-028 | |
| SERIAL NO: 09/823,850 | FILING DATE: March 30, 2001 | EXAMINER: M. Zeman | GROUP ART UNIT: 1631 CONFIRMATION NO.: 7007 |
| INVENTION: METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE | | | |

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 552 628US
DATE OF DEPOSIT: May 4, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

Leanne Bentler
Printed Name of Person Mailing Paper or Fee
LBB
Signature of Person Mailing Paper or Fee

Transmitted herewith is the Response, with Exhibits A and B as attachments thereto, to the Office Action mailed January 29, 2004, in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27.
- Petition for Extension of Time is enclosed (in duplicate).
- No additional claims fee is required.
- An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

| | NUMBER AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | | RATE | | FEE | |
|---|---------------------------|---|----|-----------------|-----------------|-----------------|-----------------|
| | | | | SMALL ENTITY | OTHER ENTITY | SMALL ENTITY | OTHER ENTITY |
| TOTAL CLAIMS | 85 | = | 85 | x \$ 9.00 | \$ 18.00 | = \$ | \$ |
| INDEPENDENT CLAIMS | 7 | = | 7 | x \$ 43.00 | \$ 86.00 | = \$ | \$ |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS: <u>YES</u> | | | | \$ 145.00 | \$ 290.00 | \$ | \$ |
| TOTAL ADDITIONAL FEE | | | | | | \$ 0.00 | \$ |

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

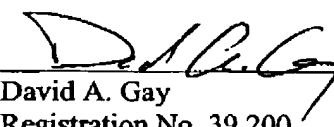
*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

Inventor(s): Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
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- Please charge my Deposit Account No. 502624 the amount of \$55.00 which covers the fee for a one -month extension of time. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Dated: May 4, 2004

Respectfully submitted,



David A. Gay
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